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BY ECF

Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United Service Workers Union Local 339, et al. v. The City of New York,
21-cv-5469 (KPF)

Dear Judge Polk Failla:

This office represents defendant the City of New York (“City”) in the above-referenced action. As required by this Court’s January 20, 2022 decision granting plaintiff’s motion for a preliminary injunction and enjoining defendant’s enforcement of Local Law 55 of 2019 (“Local Law 55”), we write to inform the Court of defendant’s proposed next steps.

After discussion with relevant City agencies, the New York City Business Integrity Commission (“BIC”) will no longer require union officials seeking to represent workers in the trade waste industry to execute the Release Authorization (Dkt. No. 18-3, p. 7 of 7) in order to register as a trade waste industry union official and will omit the same from BIC’s Labor Union/Labor Organization Officer Disclosure (“Registration Package”). (Dkt. No. 18-3). BIC will still require union officials required to register with BIC by Local Law 55 to execute and submit to BIC the remainder of the Registration Package. (Dkt. No. 18-3, pp. 2-6 of 7).

On January 27, 2022, defendant informed plaintiff’s counsel of BIC’s decision to omit the Release Authorization from the Registration Package. In light of this new information, counsel for plaintiff requires time to discuss this development with their client and determine proposed next steps.

Accordingly, the parties jointly request that the Court provide plaintiff with thirty (30) days to determine its proposed next steps. The parties further request that the Court stay defendant's time to respond to the Complaint (Dkt. No. 1) pending an update from the parties. To the extent this application is granted, the parties will provide the Court with a status update on or before February 28, 2022.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Darren Trotter
Samantha Schonfeld
Assistant Corporation Counsels

cc: Attorneys of Record (by ECF)